

The Honorable John H. Chun  
United States District Court Judge

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

Bianey GARCIA PEREZ, Maria  
MARTINEZ CASTRO, J.M.Z., Alexander  
MARTINEZ HERNANDEZ, on behalf of  
themselves as individuals and on behalf of  
others similarly situated,

Plaintiffs,

v.

U.S. CITIZENSHIP AND IMMIGRATION  
SERVICES; Ur JADDOU, Director, U.S.  
Citizenship and Immigration Services;  
EXECUTIVE OFFICE FOR  
IMMIGRATION REVIEW; David NEAL,  
Director, Executive Office for Immigration  
Review,

Defendants.

Case No. 2:22-cv-00806-JHC

**JOINT STATUS REPORT &  
STIPULATION**

Note on Calendar: May 15, 2023

**PARTIES' JOINT STATUS REPORT AND STIPULATION**

Plaintiffs Bianey Garcia Perez; Maria Martinez Castro; J.M.Z.; Alexander Martinez Hernandez; and Defendants U.S. Citizenship and Immigration Services ("USCIS"); Ur Jaddou, Director, USCIS; Executive Office for Immigration Review ("EOIR"); and David L. Neal, Director, EOIR, hereby stipulate to an additional 45-day stay of proceedings as the parties continue their settlement discussions. As detailed below, the parties have reached an agreement in principle as to the EOIR Defendants, and continue to negotiate one outstanding issue with respect to the USCIS Defendants. The parties hope to reach agreement on that issue within two weeks, and to then file a settlement agreement with the Court by June 29, 2023.

Plaintiffs and Defendants have previously jointly stipulated to several stays. On June 27, 2022, this Court issued an order granting a 60-day stay and ordering the parties to submit a joint status report on August 29, 2022. Plaintiffs and Defendants then held a settlement conference on August 3, 2022, where they discussed the claims for the putative classes and agreed that there was potential for resolving many, if not all of the claims without further litigation. Defendants requested Plaintiffs follow up with a written framework providing general parameters for resolving the claims. Plaintiffs submitted a document with a proposed settlement framework to Defendants on August 12, 2022.

On August 29, 2022, the parties submitted a joint status report and stipulation detailing their ongoing efforts to reach settlement in this case and requested a 90-day stay to further engage in settlement discussions and conserve judicial resources, as well as those of the parties. On August 30, 2022, this Court issued an order granting the 90-day stay and ordering the parties to submit a joint status report on November 28, 2022.

On October 14, 2022, Defendants provided written responses to Plaintiffs' proposed settlement framework. On October 26, 2022, the parties held a settlement conference where they discussed Defendants' responses, potential terms for settlement, and the possibility of resolving this matter without further litigation. On November 23, 2022, Defendants also requested that

1 Plaintiffs provide written feedback to Defendants' October 26, 2022, settlement responses.  
2 Plaintiffs provided their written feedback on November 29, 2022.

3 On November 28, 2022, the parties filed a third stipulated motion to stay this case,  
4 requesting an additional stay of 75 days. The Court issued an order granting the 75-day stay and  
5 ordered the parties to submit a joint status report on February 13, 2023.

6 Subsequently, on February 6, 2023, Defendants responded to Plaintiffs with further  
7 proposals on how to resolve the remaining disputes between the parties. The parties then held a  
8 settlement conference on February 7, 2023, where they discussed the settlement framework and  
9 the disputed matters. On February 13, 2023, the parties filed a fourth stipulated motion to stay this  
10 case, and this Court issued an order granting a 60-day stay and ordered the parties to submit a joint  
11 status report on April 14, 2023.

12 On April 14, 2023, the parties requested an additional 30-day stay, in which Defendants  
13 agreed to provide a response to Plaintiffs regarding certain settlement matters they committed to  
14 address at the February 7, 2023, settlement conference by May 5, 2023. On that date, Defendants  
15 provided their responses to Plaintiffs.

16 Since that response, and following further discussion between the parties, the parties have  
17 reached an agreement in principle with respect to the EOIR Defendants. As to the USCIS  
18 Defendants, the parties continue to negotiate one remaining term. The USCIS Defendants have  
19 agreed to provide Plaintiffs with a response regarding this remaining matter by May 30, 2023. The  
20 parties then estimate they will need at least an additional thirty (30) days to draft a settlement  
21 agreement and submit it to the Court.

22 In light of these developments, the parties have agreed to stipulate to a 45-day stay of  
23 Defendants' briefing deadlines. Good cause exists for the stipulation because the complexity of  
24 the issues in this case requires additional time and there continues to be a meaningful opportunity  
25 to reach a settlement that would conserve judicial resources, as well as those of the parties.  
26

Accordingly, the parties request an additional 45-day stay of Defendants' briefing deadlines, until June 29, 2023. At that time, the parties will either submit the settlement agreement to the Court or file the settlement agreement with Court.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

Dated this 15th day of May, 2023.

For the Plaintiffs:

/s/ Matt Adams

Matt Adams

/s/ Aaron Korthuis

Aaron Korthuis

Northwest Immigrant Rights Project  
615 Second Avenue, Suite 400  
Seattle, WA 98104  
(206) 957-8611  
matt@nwirp.org  
aaron@nwirp.org

/s/ Mary Kenney

Mary Kenney

/s/ Trina Realmuto

Trina Realmuto

/s/ Kristin Macleod-Ball

Kristin Macleod-Ball

National Immigration Litigation Alliance  
10 Griggs Terrace  
Brookline, MA 02446  
(617) 819-4447  
mary@immigrationlitigation.org  
trina@immigrationlitigation.org  
kristin@immigrationlitigation.org

For the Defendants:

BRIAN M. BOYNTON  
Principal Deputy Assistant Attorney General  
U.S. Department of Justice, Civil Division

WILLIAM C. PEACHEY  
Director

WILLIAM C. SILVIS  
Assistant Director


RUTH CHECKETTS  
Special Attorney

/s/ Aneesa Ahmed

Aneesa Ahmed  
Trial Attorney  
Office of Immigration Litigation  
District Court Section  
Department of Justice, Civil Division  
P.O. Box 868, Ben Franklin Station  
Washington, D.C. 20044  
(202) 451-7744  
Aneesa.Ahmed@usdoj.gov

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated this 19th day of May.

  
The Honorable John H. Chun  
UNITED STATES DISTRICT JUDGE